

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

VS.

**JAISANKAR MARIMUTHU and
CHOCKALINGAM RAMANATHAN,**

Defendants.

8:07CV94

ORDER TO SHOW CAUSE

This matter is before the court on the court's own motion pursuant to Fed. R. Civ. P. 4(m), which states in pertinent part:

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The court file shows that this case was filed on March 12, 2007, and the 120-day period has expired. Although the matter was settled as to a third defendant, the record does not show that the plaintiff has effected service upon the above-captioned defendants.

IT THEREFORE IS ORDERED that, on or before **December 15, 2008**, plaintiff shall either: (1) effect service on the remaining defendants and file proof of same with the court or (2) show cause why this case should not be dismissed without prejudice for failure to effect service within the time limit specified in Fed. R. Civ. P. 4(m).

DATED November 26, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge